



Docket No.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Nowak et al.

Examiner: M. Jackson

Serial No.: 09/178,329

Group Art Unit: 1773

Filed: August 23, 1998

For: COMPOSITE WRAP MATERIAL

Assistant Commissioner for Patents
Washington D.C. 20231

SECOND DECLARATION OF THOMAS BEZIGIAN

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1. I have reviewed the present invention, U.S. patent application serial no. 09/178,329. I have also reviewed the cited prior art: U.S. Patent 5,139,835, Kitamura; U.S. Patent 6,036,803, Lasson; U.S. Patent 2,154,474; Scott; U.S. Patent 5,098,497, Brinley.

2. The Examiner states that Lasson teaches a packaging material consisting of a core layer of paper or paperboard laminated to a polyethylene-aluminum foil laminate (metallized polyethylene film) via an intermediary layer of extruded polyethylene (hot melt adhesive). The Examiner states that Lasson does not teach the type and basis weight of the paper core layer. I disagree with the Examiner that it would be obvious to use any paper substrate for packaging material or to determine the optimum basis weight and type of paper. The invention of Lasson is used for packaging milk and fruit juice. The same basis weight and type of paper would not be used in the present invention and the invention of Lasson.

3. The Examiner states that Scott teaches film welding, a process for uniting preformed plastic film to a base material of paper, fabric or metal to produce a composite material coated on one or both sides with water-proof film wherein the film provides a transparent or decorative coating on one or both sides of the paper which enhances decoration or printing on the paper and gives the paper qualities of repelling water or odors. The Examiner states that Scott does not teach the addition of pigments, however, it would be obvious. With regards to claim 12, the Examiner states that it would be obvious to teach a metallized surface, however it would be obvious.

4. Scott teaches a film which includes a coating which while normally stable and non-tacky, may be rendered an adhesive by appropriate manipulation. Films are applied mechanically to opposite sides of the paper. Heat and pressure is applied to weld the film to the paper. The film coating is rendered adherent by heat and cohesive by pressure accompanied by heat. The film is attached so closely to the web it is called a weld. The paper in Scott must be treated or moistened prior to welding to compensate from welding conditions, so the welded product has desired flexibility and flatness.

5. The present invention does not require that the paper be moistened which is required by Scott. Further, the present invention requires a liquid adhesive whereas Scott includes a coating, i.e., solid adhesive, which is stable and non-tacky when applied, but does not become an adhesive until it is heated. Further, there is nothing in Scott which teaches or makes obvious the basis weight taught in the present invention.

6. The Examiner states Brinley teaches an embossed coated paper prepared by a polymer film, preferably, a polyethylene film, laminated to a paper web, utilizing an extrusion coated resin interlayer, preferably polyethylene extrusion (hot melt adhesive),

thereinbetween. The Examiner states that Brinley does not teach the basis rate, however this is obvious.

7. Brinley relates to an embossed coated paper. Polymer film is laminated to a paper web, utilizing an extrusion coated resin interlayer, therebetween and a pattern from an engraved chill roll is simultaneously embossed onto the exposed surface of the polymer film. Embossed coated papers are used for simulated leather panels for cars and matte surface photographic base layers. Based on my review of Brinley, the basis weight of the present invention and the basis weight taught in Brinley would be different. Because of the use of the product described in Brinley is different then the ream wrap of the present invention, it would not be obvious to change the basis weight of Brinley to the basis weight described in the present invention.

8. The Examiner states that Kitamura teaches a synthetic resin laminated paper for wrapping or packaging consisting of: synthetic resin film layers, such as polyethylene and paper laminated together via extrusion or hot melt coating layer which comprise the mixture of adhesion released control agent such as wax and a synthetic resin such as polyethylene.

9. Kitamura teaches a synthetic resin laminated paper comprising a synthetic resin film layer and a paper layer, wherein an adhesion-release control agent layer is interposed between the film and paper. Kitamura relates to carton paper containers for milk or juice and paper cups. Synthetic resin laminated paper can be easily separated into laminated film and a paper by mechanical treatment within a short period of time and with minimum energy. Pulverization of laminated film is prevented and efficiency of separation is enhanced.

10. The adhesion-released control agent includes wax, polyvinyl alcohol ethylene-vinyl acetate copolymers, polyacrylic polymers or copolymers, and a modified silicone compound consisting of an organopolysiloxane compound. The adhesion-released control agent would not just include wax, but would include the additives as listed below to create the adhesion-release effect.

11. The present patent application does not use an adhesion release control agent. Kitamura relates to carton paper containers for milk or juice, and paper cups. Further, Kitamura does not teach a paper layer limited to a basis weight of 20-60 lbs 3,000 sq. ft., nor would it be obvious based on the difference in the goods being packaged.

12. Enclosed is a data sheet from DuPont regarding Elvanol which is a polyvinyl alcohol described in the Kitamura patent. On page 5, it is described that there are specialized applications where Elvanol is used alone or in combination with specialty chemicals to provide release to adhesives, coatings, and plastisols.

13. A second attachment relates to pressure sensitive silicones. Silicones are designed to perform as both adhesives and as release agents. Silicone release agents, known as release coatings, provide release from pressure sensitive adhesives and other tacking materials. As release coatings, silicones are used to provide a release surface against aggressive adhesives and other sticky surfaces.

14. I hereby declare that all statements made herein of my own knowledge are true, and that all statements are made on information and belief believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001

of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patent application to which it relates or any patent issued thereon.

Dated August 9, 2002

Thomas Bezigian
Thomas Bezigian